

GRESCHNER AFF

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CAROL A. ALT,

Plaintiff,

Index No.: 07CIV6004

-against-

**AFFIDAVIT**

RONALD J. GRESCHNER,

Defendant.

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STATE OF NEW YORK )  
                          )  
COUNTY OF NEW YORK )                          ss.:  
                          )

RON GRESCHNER, being duly sworn, deposes and says:

1. I am the defendant in this action, a resident of the State of Florida, and above the age of majority. I submit this affidavit, based upon personal knowledge and documentary evidence, in support of my motion to dismiss for lack of subject matter jurisdiction.
2. Carol A. Alt and I were married in East Williston, New York, on November 21, 1983. On January 13, 1997, Ms. Alt and I entered into a Property Settlement Agreement ["Agreement"] [Exhibit A], which was a Separation Agreement. At the time, Ms. Alt and I were residents of Connecticut.
3. Subsequent to that Agreement, the Courts of Florida assumed jurisdiction over our marriage and our divorce proceedings, and issued two legal documents: (1) an addendum to the Agreement [Exhibit "B"], the terms of which have been satisfied; and (2) a Judgment of Dissolution of Marriage, dated March 15, 2001, which dissolved our marriage and, most importantly for this case, "confirmed and ratified" the Agreement

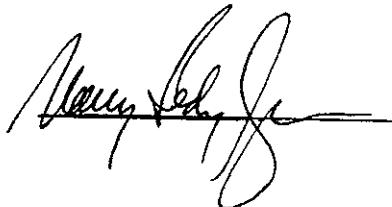
and directed the parties to comply with the Agreement. My attorneys have indicated to me that the Agreement has thus been incorporated into the Judgment of Divorce.

4. Based on the legal arguments advanced by my counsel, I respectfully request that this Court dismiss the present action for lack of subject matter jurisdiction. I make this affidavit under penalty of perjury.



RON GRESCHNER

Sworn to before me this  
24th day of August, 2007.



NANCY LEDY-GURREN  
Notary Public, State of New York  
Registration #02LE6054505  
Qualified In Westchester County  
Commission Expires Feb. 5, 2011